

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CORNELL RIVERS, SR.,

Plaintiff,

v.

BANK OF AMERICA, N.A., and

MACKIE, WOLF, ZIENTZ,

and MANN, P.C.,

Defendants.

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§ No. 3:15-CV-1755-M (BF)

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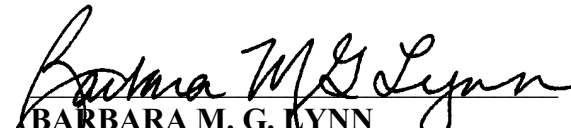
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**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. The District Court reviewed the Findings, Conclusions and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that Defendant Bank of America, N.A.'s ("Defendant") Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) [ECF No. 6] ("Motion to Dismiss") is **GRANTED IN PART**, and Plaintiff Cornell Rivers, Sr.'s ("Plaintiff") claims against Defendant are **DISMISSED WITHOUT PREJUDICE at this time**. Plaintiff has 30 days from the date of this Order to file an amended complaint addressing the deficiencies raised in Defendant's Motion to Dismiss. Should Plaintiff fail to amend his complaint within 30 days, Plaintiff's claims against Defendant will be dismissed **WITH PREJUDICE**.

SO ORDERED this 23rd day of February, 2016.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS